

BOARD OF DESIGN REVIEW MINUTES

December 19, 2002

CALL TO ORDER: Chairman Stewart Straus called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive

ROLL CALL: Present were Chairman Stewart Straus; Board Members Cecilia Antonio, Hal Beighley, Mimi Doukas, Ronald Nardozza and Jennifer Shipley.

Chief of Staff Linda Adlard, Development Services Manager Steven Sparks, AICP, Senior Planner John Osterberg, Associate Planner Liz Shotwell, Economic Development Director Janet Young, and Recording Secretary Sandra Pearson represented staff.

VISITORS:

Chairman Straus read the format for the meeting and asked if any member of the audience wished to address the Board on any non-agenda item. There was no response.

OLD BUSINESS:

CONTINUANCES:

Chairman Straus opened the Public Hearing and read the format of the hearing. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any agenda items or participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda.

A. BDR 2002-0124 – US BANK AT SW BEAVERTON/HILLSDALE HIGHWAY AND SW LAURELWOOD AVENUE DESIGN REVIEW

The applicant requests Type III Design Review approval for proposed development of the subject site, noted below. The proposed development is the construction of a new bank building and

associated improvements. The building is proposed as one (1) level, approximately 3,043 square feet in size with two (2) drive-up teller lanes on the western side of the building. The applicant proposes ingress/egress along SW Laurelwood Avenue and a new right-hand turn lane along the subject site's eastern property line, within the SW Laurelwood Avenue right-of-way and proposed dedication area, on the north side of the intersection with SW Beaverton-Hillsdale Highway. The development proposal is generally located at the northwest corner of the intersection of SW Laurelwood Avenue and SW Beaverton-Hillsdale Highway and more specifically described on Washington County Assessor's Map 1S1-13BB, Tax Lot 06600. The affected parcel is zoned Office Commercial (OC) and is approximately 0.80 acres in size. A decision for action on the proposed development shall be based upon the approval criteria listed in Section 40.10.15.3.C.

Associate Planner Liz Shotwell presented the Staff Report and briefly described the proposal for the construction of a new bank building including associated improvements. She discussed staff's specific concern with regard to additional screening that might be necessary due to the proposed 24-hour operation, adding that staff is requesting that the Board of Design Review evaluate this situation, as well as the proposed placement of the bollard lighting within the lawn of the landscape area in the northern portion of the site in order to determine whether this placement is appropriate with regard to lighting and continued maintenance. Concluding, she submitted the materials board, recommended approval of the application, subject to certain Conditions of Approval, and offered to respond to questions.

On question, Ms. Shotwell advised Chairman Straus that the proposed location of the bollard lighting involves the little strip of landscaped area that extends along the northern portion of the site, reiterating that staff would like members of the Board of Design Review to evaluate and determine whether the proposed placement in the center of the lawn is adequate and specifically whether any additional Conditions of Approval are necessary in order to assure continued maintenance.

APPLICANT:

SCOTT SHANNON, representing *Mulvanny G2 Architecture* on behalf of *US Bank*, mentioned that this proposal involves a new prototype for the bank branches that are proposed throughout the northwest, and discussed concerns with regard to lighting and screening. He expressed

his opinion that the landscaping would provide appropriate screening, emphasizing the importance of allowing the Police Department a clear view onto the site for security purposes. At the request of Mr. Beighley, he confirmed that the 24-hour operation is referring to utilization of the ATM bank machine that is located on the site.

Ms. Shipley suggested the possibility of relocating the bollards slightly to the left or the right, observing that this would not break up the lawn and be easier to maintain while still providing adequate lighting.

Mr. Shannon agreed that it would not be difficult to relocate these bollards.

Chairman Straus referred to the property located to the north of the parcel, and was advised by Mr. Shannon that this property is a private residence and that he is not certain whether any attempt had been made to add this property added to the residential parcel.

Mr. Nardozza requested further clarification with regard to the access on SW Laurelwood Avenue.

Mr. Shannon informed Mr. Nardozza that the Oregon Department of Transportation (ODOT) has restricted the amount of access available from SW Beaverton/Hillsdale Highway.

On question, Mr. Shannon advised Mr. Beighley that this rail on the CMU wall is metal, adding that it would be painted tan in color.

PUBLIC TESTIMONY:

DEBRA CONRAD pointed out that she has two major concerns with this project, specifically the project itself and the notification process. She mentioned that it is fortunate that she had received written notification through the mail because she had not observed any signs or postings on the property. She noted that upon investigating she had discovered that the posted signs had been completely covered by weeds, adding that she has photographs available for documentation. She noted that she had finally been able to contact Richard Drotz, who had signed the notice letter for *Kennedy, Wilson International*, emphasizing that his response had been, as follows: "Well, we should have got those weeds cut down, but it just did not happen." She expressed her opinion that these signs were clearly posted in a manner that made them totally unreadable, adding that she questions whether this constitutes adequate notification. She described her efforts and contact with Ms.

Shotwell in her attempt to make certain that the information was appropriately posted on the property, adding that she had been very discouraged with the repeated continuances that occurred without providing proper notification to the public. She expressed her concern and suspicions with the developer's continual failure to respond to multiple requests with regard to adequate signage, adding that the developer had failed miserably, which indicates lack of concern or good faith. She discussed her concerns with what she considers to be a problematic intersection, the need for traffic calming, increased trip generation, and the proposed existence of only one entry/access, expressing her opinion that the application should be denied.

CHARLES CONRAD reiterated the concerns just expressed by his wife, Debra Conrad, emphasizing that he takes exception with the developer's failure to follow proper public process. Observing that he is not opposed to development, he pointed out that it is necessary to consider the totality of development that would occur at that specific intersection.

WHITNEY BATES described his visit to the subject intersection earlier today, emphasizing that she had witnessed 25 vehicles stacked up, and questioned whether those responsible for this decision have even reviewed this intersection. Noting that this application provides an example of careless and extremely poor planning, he expressed his opinion that the proposal is both unreasonable and unsupportable.

APPLICANT REBUTTAL:

WADE SCARBROUGH, *representing Kittelson & Associates* on behalf of *US Bank*, stated that the daily trip generation of 940 vehicles is accurate, adding that this translates into approximately 175 in and out combined vehicular trips generated during the weekday p.m. peak hour. Concluding, he discussed the level of service, the capacity threshold, and queuing issues, and offered to respond to questions.

Ms. Antonio pointed out that even with the proposed additional left hand turn lane, there would be times when the queue is longer than the driveway.

Mr. Scarbrough advised Ms. Antonio that according to what has been submitted to Washington County and the City of Beaverton, this queue would extend only one vehicle beyond the driveway, adding that with no opportunity for shared access, the applicant has made every attempt

to reduce those queue lengths while providing a safe and acceptable solution.

Chairman Straus pointed out that the presumption is that the additional left hand turn lane accounts for roughly half of those vehicles approaching the intersection, adding that they would be turning left. He pointed out that the applicant is relying upon the courtesy of the drivers in the southbound vehicles to allow other vehicles to turn into that lot, adding that based upon his own experiences, he would not count on this. He observed that this is not a very scientific method of making such an evaluation and questioned whether any more appropriate option is available.

Mr. Nardoza expressed concern with how vehicles would exit the site.

Mr. Wade explained that the access does not meet ODOT's Division 51 Access Spacing Standards, adding that in order to be granted a deviation from those standards, it would be necessary to obtain a shared access, which is not an option at this time.

Mr. Shannon pointed out that even a shared access would involve a right in/right out option.

Ms. Shipley questioned whether the applicant is familiar with the future traffic calming that has been proposed for this intersection.

Mr. Scarbrough noted that he is not familiar with this proposal, adding that traffic generated for the site that heads north onto SW Laurelwood Avenue would be no greater than ten vehicles during peak hour. He explained that the impact would basically involve that 150-foot section between the access and SW Beaverton/Hillsdale Highway.

Chairman Straus requested clarification with regard to Transportation staff's comments and concerns, adding that there does not appear to be any Conditions of Approval that specifically relate to transportation issues.

Ms. Shotwell referred to the adopted Conditions of Approval associated with the Facilities Review Report, observing that one of these Conditions of Approval involved the implementation of the applicant's proposal for the left southbound turn lane in order to relieve the queuing onto SW Laurelwood Avenue.

Chairman Straus questioned whether Transportation staff had addressed any concerns with regard to the northbound queuing problems or the ability of vehicles to turn from the northbound lane into the parking lot.

Ms. Shotwell informed Chairman Straus that those issues were not specifically addressed or conditioned because the intersection was found to meet the Level of Service standards both currently and with the proposal.

Chairman Straus pointed out that he is not certain that Level of Service standards adequately address the frustration and impatience experienced by the drivers, expressing his opinion that this proposal would be increasing the inadequacy of a situation that has already been acknowledged as poor. He noted that the applicant has an obligation to maximize the mitigation measures that are necessary to prevent this situation from escalating into a greater problem. He questioned whether the applicant has any objection to the marking of the pavement or some alternative method for addressing the northbound traffic.

Mr. Shannon informed Chairman Straus that the applicant has no objection to this suggestion, emphasizing that they have attempted to cooperate as much as possible in order to resolve any issues.

Mr. Beighley requested a response from the applicant with regard to complaints concerning posting of the property for the Public Hearing.

Mr. Shannon advised Mr. Beighley that the applicant had responded and replaced the signs each time they were made aware that they were down.

Ms. Shipley requested clarification with regard to the direction from which the majority of the traffic would approach the site.

Mr. Shannon responded that the traffic should be equally split, approximately 40% each, coming from east and west on SW Beaverton/Hillsdale Highway, with approximately 10% each coming from north and south on SW Laurelwood Avenue.

Ms. Shipley questioned whether customers from other branches of *US Bank* would be relocating to this specific branch, and specifically whether those customers who live in this neighborhood and would normally be passing by anyway would be utilizing this facility.

Mr. Scarbrough explained that the 175 vehicular trips that he had quoted involved those at the driveway, adding that based upon observations of similar situations, approximately 40% of those trips would be passby trips.

Mr. Shannon pointed out that the traffic should be generated by two other branches of *US Bank* that are scheduled for closure.

Ms. Shotwell addressed issue of public noticing, noting that while the applicant had originally posted the property on September 12, 2002, and submitted the required Affidavit of Posting, it had become necessary to contact the applicant upon two occasions to reissue signs to be posted again. She pointed out that the final posting had been on November 29, 2002, emphasizing that this had satisfied the requirement for 20 days prior to the Public Hearing.

Chairman Straus mentioned concerns that had been expressed with regard to weeds obstructing the signs that had been posted.

Agreeing that a great deal of weeds exist on the site, Ms. Shotwell noted that the rate of speed at which the traffic travels along that stretch would make it possible, though difficult, to read the signs that had been posted.

Referring to Ms. Conrad's concerns with regard to the signs being down during certain periods of time, Chairman Straus questioned whether staff anticipates any particular consequences specifically with regard to the validity of the posting.

Ms. Shotwell assured Chairman Straus that because the applicant has met and satisfied necessary posting requirements, staff has no concerns with potential consequences with regard to the validity of this posting.

Ms. Shipley questioned whether staff is aware of traffic calming plans for this area.

Ms. Shotwell informed Ms. Shipley that she is vaguely familiar with a City approved traffic calming project between SW Canyon Road and SW Beaverton/Hillsdale Highway, observing that this is intended to alleviate the cut-through traffic between the roads. She pointed out that although she is not familiar with the details of this project, it involves the area along SW 87th Avenue, SW Birchwood Avenue, and SW Laurelwood Avenue.

The public portion of the Public Hearing was closed.

Mr. Beighley **MOVED** to **APPROVE** BDR 2002-0124 – US Bank at SW Beaverton/Hillsdale Highway and SW Laurelwood Avenue, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated December 12, 2002, including Conditions of Approval Nos. 1 through 22.

Ms. Shotwell requested clarification with regard to the bollard lighting and screening along SW Beaverton/Hillsdale Highway, specifically whether an additional Condition of Approval would be included.

Chairman Straus observed that the motion is void, due to the lack of a second.

Mr. Nardozza **MOVED** and Ms. Antonio **SECONDED** a motion to **APPROVE** BDR 2002-0124 – US Bank at SW Beaverton/Hillsdale Highway and SW Laurelwood Avenue Design Review, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated December 12, 2002, including Conditions of Approval Nos. 1 through 22, with an additional Condition of Approval, as follows:

23. The applicant shall install appropriate pavement markings and a sign at the southbound SW Laurelwood Avenue approach to the site-access driveway that states “DO NOT BLOCK INTERSECTION”.

Motion **CARRIED** by the following vote:

AYES: Antonio, Beighley, Nardozza, and Straus.
NAYS: Shipley.
ABSTAIN: None.
ABSENT: Doukas.

B. ADJ 2002-0006 – THE ROUND ATHLETIC CLUB & LOFTS BUILDING – HEIGHT ADJUSTMENT

The applicant is proposing to construct an approximately 105-foot tall building adjacent to the future extension of SW Millikan Way and SW Watson Avenue, both of which are designated as Major Pedestrian Routes. The Development Code allows structures up to 120 feet in the RC-TO zone. However, pursuant to Development Code Section 20.20.60.E.3.B, all buildings adjacent to a Major Pedestrian Route have a maximum height allowance that is less than 120 feet. The applicant requests approval of the adjustment to

exceed the building height standards adjacent to Major Pedestrian Routes, by approximately 65 feet.

C. DR 2002-0195 – THE ROUND ATHLETIC CLUB & LOFTS BUILDING DESIGN REVIEW

The applicant is requesting Design Review approval for an approximately 180,300 square foot mixed-use building. The mixture of uses includes an athletic facility, structured parking, and attached residential dwellings in a 7-story structure. The site is located within 'The Round at Beaverton Central' on the northwest corner of the intersection of SW Watson Avenue and the future extension of SW Millikan Way.

Emphasizing that public law dictates that all testimony provided by the public and deliberations of the Board is recorded, Chief of Staff Linda Adlard advised members of the Board of Design Review with regard to the proper utilization of the microphones.

Senior Planner John Osterberg presented the Staff Reports and discussed both applications, including issues with regard to pedestrian amenities and orientation, vehicular access, safety issues, and the parking situation, both temporary and permanent. Concluding, he presented the materials and finishes boards, observed that both applications meet applicable criteria, and recommended approval, offering to respond to questions.

Chairman Straus referred to the applicant's narrative, specifically page 9 from *WRG Design Inc.*, which states that the height of any portion of a building lying within 20 feet of a Major Pedestrian Route shall not be less than 24 feet or greater than 45 feet, and pointed out that this appears to conflict with the 30-foot height restriction mentioned by Mr. Osterberg.

Mr. Osterberg observed that there are two methods provided within the Development Code for the establishment of building height along Major Pedestrian Routes. He noted that one method had been described by the applicant, and briefly explained the other method that had resulted in the 30-foot height he had described.

Chairman Straus expressed his opinion that it appears odd that this type of height restriction would be required for a major, high-density urban development such as that intended with this proposal, adding that downtown Portland has buildings of 150-feet to 200-feet in height that are constructed right to the property line.

Mr. Osterberg pointed out that tall buildings in downtown Portland do not appear to discourage pedestrian activity, adding that the Development Code does not provide an explanation with regard to the background and rationale for these restrictions.

Ms. Shipley questioned whether this building would be the tallest seven-story building within the downtown area.

Mr. Osterberg responded that this would be the tallest building of The Round, as currently planned, adding that there is the potential to add additional taller buildings eventually.

APPLICANT:

DAVID CONVERSE, Project Manager representing *Converse Architecture*, on behalf of the applicant, introduced himself and the architect, Tuau Loo.

Mr. Converse mentioned that the associated Conditional Use Permit had been approved by the Planning Commission on the previous evening, adding that The Round involves a mixed use development, including office, residential, retail, and restaurants. He explained that tonight's application involves a new building that is intended to compliment the existing functions of the site, specifically a 24-hour fitness health club, including parking and a three-story condominium complex on top of the project. He described the proposed design of the building, observing that it includes numerous windows at ground level, adding that although it is anticipated that the light rail and interrelationship between activities on the site would generate less trip generation and reduce the need for parking, there is no guarantee at this time what the final results will be.

TAUN LOO, representing *Ankran Moisan Architects*, on behalf of the applicant, provided illustrations on the easels, and briefly described what he referred to as a very simple building concept. Observing that the ground floor involves the proposed 24-hour fitness center, he noted that there are also two levels of parking and three levels of homes. He discussed the proposed materials and color scheme.

At the request of Chairman Straus, Mr. Loo clarified the location of the viewpoint for the perspective.

Ms. Shipley questioned whether the parking structure would be complete when the health club is finished.

Mr. Converse clarified that the building is designed with two levels of parking in between the health club and the condominiums, adding that this would be part of the completed development of that building, to be complemented with the valet parking that would be shared with the office building.

Chairman Straus questioned whether the parking within the structure is intended for use by the condominiums, health club, or both.

Mr. Converse advised Chairman Straus that of the 110 parking spaces within that structure, 53 parking spaces are dedicated to the use of the condominiums, with the remaining 57 parking spaces available for utilization by the health club.

Chairman Straus requested clarification with regard to whether the parking within the building would be sufficient to support all functions upon completion and removal of the surface lots.

Mr. Converse advised Chairman Straus that the parking proposed within the building is intended to serve both the office building and the health club building, adding that supplemental parking is also available within the health club building.

Mr. Straus questioned what had happened with regard to the International Garden that had been proposed.

Observing that the proposed International Garden had been slightly modified within the latest scheme, Mr. Converse noted that this would now be referred to as a Future Sister Cities' Garden, adding that this feature would create a portal between the two buildings, with a design that is yet to be determined.

Mr. Loo pointed out that this would also allow for the creation of a main gateway into The Round.

Ms. Shipley requested further clarification with regard to the geo-technical report, specifically issues with regard to the fill and compaction of the piers.

BRIAN DeHAAS advised Ms. Shipley that a sewage treatment plant had formerly existed at the site, adding that while this facility had at one point been abandoned, demolished, and buried, remnants of this plant still exist at the site. He explained that the compaction of the material that covers this debris is not suitable for the support of a

building, adding that it had been recommended that the site be over-excavated, with the removal of three feet of fill material to be replaced with a granular rock base, which would provide a stable surface for the construction equipment and activities, including approximately 250 piles.

PUBLIC TESTIMONY:

No member of the public testified with regard to these applications.

Staff had no final comments with regard to these applications.

The public portion of the Public Hearing was closed.

Mr. Beighley **MOVED** and Mr. Nardozza **SECONDED** a motion to **APPROVE** ADJ 2002-0006 – The Round Athletic Club and Lofts Building Adjustment, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated December 12, 2002, including Conditions of Approval Nos. 1 through 5.

Motion **CARRIED** by the following vote:

AYES:	Antonio, Beighley, Nardozza, Shipley and Straus.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Doukas.

Mr. Beighley **MOVED** and Mr. Nardozza **SECONDED** a motion to **APPROVE** DR 2002-0195 – The Round Athletic Club and Lofts Building Design Review, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated December 12, 2002, including Conditions of Approval Nos. 1 through 19.

Motion **CARRIED** by the following vote:

AYES:	Antonio, Beighley, Nardozza, Shipley and Straus.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Doukas.

APPROVAL OF MINUTES:

The minutes of October 24, 2002, as written, were submitted. Chairman Straus asked if there were any changes or corrections. Ms.

Shipley **MOVED** and Ms. Antonio **SECONDED** a motion that the minutes be adopted as written and submitted.

The question was called and the motion **CARRIED** unanimously, with the exception of Mr. Beighley and Mr. Nardozza, who abstained from voting on this issue.

The minutes November 7, 2002, as written, were submitted. Chairman Straus asked if there were any changes or corrections. Ms. Antonio **MOVED** and Mr. Nardozza **SECONDED** a motion that the minutes be adopted as written and submitted.

The question was called and the motion **CARRIED** unanimously, with the exception of Chairman Straus, who abstained from voting on this issue.

The minutes of November 14, 2002, as written, were submitted. Chairman Straus asked if there were any changes or corrections. Mr. Nardozza requested that the roll call for the vote with regard to the approval of VAR 2002-0009 – Cedar Hills Crossing Entry Sign – Height on page 22 be amended to reflect that he had been absent. Mr. Beighley **MOVED** and Ms. Antonio **SECONDED** a motion that the minutes be adopted as written and submitted.

The question was called and the motion **CARRIED** unanimously.

The minutes of December 5, 2002, as written, were submitted. Chairman Straus asked if there were any changes or corrections. Observing that he had been the only member of the Board of Design Review present at this meeting, Chairman Straus **APPROVED** the minutes as written and submitted.

MISCELLANEOUS BUSINESS:

Mr. Beighley pointed out that staff had appealed several decisions of the Board of Design Review, as follows:

- VAR 2002-0005 – Cedar Hills Crossing Entry Sign – Size; and
- VAR 2002-0009 – Cedar Hills Crossing Entry Sign – Height.

The meeting adjourned at 8:22 p.m.